

# In the United States Court of Federal Claims

No. 15-294C

(Filed May 7, 2025)

NOT FOR PUBLICATION

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**J. CASARETTI, et al.,**

Plaintiffs,

v.

**THE UNITED STATES,**

Defendant.

\* \* \* \* \*

## ORDER

Plaintiffs have filed a motion to reopen class certification to allow 88 additional current-or-former Federal Air Marshals to join the present class. *See* Pls.’ Unopposed Second Mot. to Reopen Class Certification (Pls.’ Mot.) at 4, ECF No. 237. The Court initially certified the present class in May 2020. *See* Order (May 29, 2020), ECF No. 91; Erratum Order (June 16, 2020), ECF No. 99. Plaintiffs’ counsel filed a revised notice of collective action on June 23, 2020. Notice of Filing Revised Notice of Collective Action, ECF No. 101. The opt-in window closed ninety days thereafter. *See* Erratum Order (June 16, 2020), ECF No. 100. The Court granted plaintiffs’ subsequent motion to reopen the class to allow 226 additional air marshals to join the class. *See* Order (Oct. 23, 2024), ECF No. 214.

“An order that grants or denies class certification may be altered or amended before final judgment.” Rule 23(c)(1)(C) of the Rules of the United States Court of Federal Claims (RCFC). The motion is uncontested, with the understanding that, *inter alia*, the government may later contest these individuals’ eligibility to participate in the class. *See* Pls.’ Mot. at 7, ECF No. 237. The Court is persuaded that it is appropriate in this instance to allow the identified 88 individuals to opt into the class by filing written consents after the deadline, avoiding the inefficiencies involved with the filing of a new case.

Accordingly, the motion is **GRANTED** and leave is hereby given plaintiffs to file the written consent forms of these 88 individuals, so that the latter may join the class in this case.

**IT IS SO ORDERED.**

s/ Victor J. Wolski

**VICTOR J. WOLSKI**

Senior Judge